

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Continuation Application of:

PHILLIPS *et al.*

Serial Number: 09/481,933

Initial Examination Branch

Filed: This application filed: February 28, 2002 :

For: COMPOSITIONS

PRELIMINARY AMENDMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Prior to an examination on the merits, please amend the above identified application as follows:

IN THE SPECIFICATION:

Please insert the following as the first sentence.

This application is a continuation application of pending U.S. application serial number 09/481,933, filed January 13, 2000, which has been allowed and the Issue Fee paid, of which the entire disclosure of the pending, prior application is hereby incorporated by reference, which is a continuation of U.S. application serial number 09/121,530, filed July 24, 1998, now U.S. patent number 6,020,001, granted February 1, 2000, which is a continuation of U.S. application serial number 08/381,422, filed January 31, 1995, which is now patent number 5,863,559, granted January 26, 1999, which is a continuation of U.S. application serial number 08/107,847 filed on August 13, 1993 now abandoned, which is a 371 of PCT/EP92/00460, filed March 2, 1992.

IN THE CLAIMS:

Please replace claims 3, 5, 7 and 9 with the following amended claims.

3(Amended). A pharmaceutical composition as claimed in claim 1 in the form of a tablet.

5(Amended). A pharmaceutical composition as claimed in claim 1 wherein the film coating comprises a polymer.

7(Amended). A pharmaceutical composition as claimed in claim 1 wherein the film coating comprises 2 to 50% w/w based on the weight of the solid dosage form.

9(Amended). A process for the preparation of a pharmaceutical composition as claimed in claim 1 which comprises applying a film coating to a solid dosage form of the active ingredient by a film coating technique.

REMARKS

Applicants have amended the specification to cross reference the parent applications.

In accordance with MPEP §2001.06(b) no copies of the prior art in the parent applications are submitted herewith. The reference cited forms from the parent applications are submitted herewith for the convenience of the Examiner. In accordance with MPEP §609, a Form 1449 listing these references is also submitted herewith. Confirmation that the prior art cited in the parent applications has been considered in the next Official Action is most respectfully requested.

In view of the above comments, amendments to the claims and prior art of record, an early action on the merits taking into consideration the prior art cited in the parent applications is now in order and is most respectfully requested.

Respectfully submitted,

BACON & THOMAS, PLLC

By Richard E. Fichter
Richard E. Fichter
Registration No. 26,382

625 Slaters Lane, Fourth Floor
Alexandria, Virginia 22314
Phone: (703) 683-0500
Facsimile: (703) 683-1080

REF/kdd
PA01.wpd

February 28, 2002

Marked-Up Version Showing Changes Made

IN THE CLAIMS:

Please replace claims 3, 5, 7 and 9 with the following amended claims.

3(Amended). A pharmaceutical composition as claimed in claim 1 [or claim 2] in the form of a tablet.

5(Amended). A pharmaceutical composition as claimed in [any one of claims 1 to 4] claim 1 wherein the film coating comprises a polymer.

7(Amended). A pharmaceutical composition as claimed in [any one of claims 1 to 6] claim 1 wherein the film coating comprises 2 to 50% w/w based on the weight of the solid dosage form.

9(Amended). A process for the preparing of a pharmaceutical composition as claimed in [any one of claims 1 to 7] claim 1 which comprises applying a film coating to a solid dosage form of the active ingredient by a film coating technique.